

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

USDC SDNY
DOCUMENT
ELECTRONICALLY FILED
DOC #:
DATE FILED: 08/14/2017

TAMMY TAPIA-MATOS, Individually
and on Behalf of All Others Similarly
Situating,

Plaintiffs,

v.

CAESARSTONE, LTD., YOSEF
SHIRAN, AND YAIR AVERBUCH,

Defendants.

No.: 15-CV-6726-JMF

Motion Date: August 14, 2017

**ORDER GRANTING LEAD COUNSELS' REQUEST FOR AN AWARD OF
ATTORNEYS' FEES, REIMBURSEMENT OF EXPENSES, AND AWARD FOR
LEAD PLAINTIFFS**

WHEREAS:

A. On August 14, 2017 the Court entered a Final Order and Judgment which granted approval of the settlement of this Action as fair, reasonable, and adequate;

B. Lead Counsel for the Class have applied for an award of attorneys' fees of \$660,000 plus accrued interest, reimbursement of litigation expenses in the amount of \$143,335.02 to be paid from the Settlement Fund, and an award in the amount of \$15,000 to Lead Plaintiffs to be paid from the Settlement Fund (\$5,000 each to Ruth Lanza, Anthony Lanza, and Mark Pawlitschek); and

C. The capitalized terms in this Order shall have the same meaning as they have in the Stipulation and Agreement of Settlement dated April 14, 2017.

NOW, THEREFORE, based on the submissions of the parties, the arguments of Lead Counsel at the Final Fairness Hearing held on August 14, 2017, and the entire record in this Action, IT IS HEREBY ORDERED, ADJUDGED AND DECREED as follows:

1. Lead Counsel's Motion for an Award of Attorney's Fees, Reimbursement of Expenses, and Award to Lead Plaintiffs is granted. Lead Counsel is awarded attorneys' fees in the amount of 30% of the Settlement Fund, or \$660,000, and awarded reimbursement of litigation expenses in the amount of 143,335.02. Lead Plaintiffs are granted an award of \$5,000 each, for a total of \$15,000.

2. The Court finds that the amount of attorneys' fees awarded is reasonable when considered as a percentage of the Settlement Fund created for the benefit of the Class, and also reasonable when measured against co-Lead Counsel's lodestar of \$817,507.25 and the 1170.5 hours expended and blended hourly rate of \$698 per hour of the professionals who worked on this matter, as set forth in Exhibits 2 and 3 to the Joint Declaration of Michele Carino and Jacob A. Goldberg, dated July 11, 2017.

3. The Court finds that the expenses incurred by Lead Counsel in the amount of \$143,335.02, as set forth in Exhibits 2 and 3 to the Joint Declaration, were appropriately expended to benefit the Class and are reasonable.

4. The amounts of attorneys' fees and expenses herein awarded shall be paid to Lead Counsel from the Settlement Fund upon entry of this Order.

5. Lead Plaintiffs shall be awarded as follows: (i) Anthony Lanza shall be awarded \$5,000; (ii) Ruth Lanza shall be awarded \$5,000; (iii) Mark Pawlitschek shall be awarded \$5,000, as an award and reimbursement for their lost time in connection with their prosecution for this action.

6. The amounts of the reimbursement for Lead Plaintiffs' lost time shall be paid to Lead Plaintiffs from the Settlement Fund upon entry of this Order.

7. The Clerk of Court is directed to terminate Docket No. 71.

SO ORDERED this 14th day of August, 2017.

A handwritten signature in black ink, appearing to read "Jesse M. Furman", written over a horizontal line.

HONORABLE JESSE M. FURMAN
UNITED STATES DISTRICT JUDGE